

IN THE UNITED STATES DISTRICT COURT
For THE WESTERN DISTRICT OF Pennsylvania

Richard ARRINGTON

Plaintiff

v.

William Shouppe Warden

Ethel White Deputy Warden

Defendants

Chief United STATES

Magistrate Judge

Cynthia Reed Eddy

AMENDED Complaint

Now Comes Richard Arrington Plaintiff
in the above Civil Action Number,
listing Defendants: William Shouppe Warden
6000 Woodlawn BLVD, Aliquippa PA 15001,
Ethel White Deputy Warden, 6000 Woodlawn
BLVD, Aliquippa PA 15001, Defendants
are Employed at the Beaver County
Jail (address listed above) Beaver County.
Defendants are being Sued in their
Official Capacity for the following
United STATES and Pennsylvania Constit-
utional Violations:

- 1.) Illegal Detention of Plaintiff under
a Illegal Criminal Complaint that is
not signed, pursuant to Pa. R. Crim. P. 507-
Approval/DisApproval by the Counsel
of the Commonwealth: Unsigned
Arrest Warrant Affidavit by Magistrate
District Justice Joseph Schafer: 36-3-03.

2.) United STATES, Pennsylvania Constitutional Violation of the 6th Amendment - Right to Counsel, (Williams v. Alabama 341.F2d777) Pursuant to Pa. R. Crim. P. 540(A) - Preliminary Arraignment: In the discretion of the issuing Authority, the preliminary arraignment of the defendant may be conducted by using two-way simultaneous audio-visual communication, when counsel for defendant is present, the defendant must be permitted to communicate fully and confidentially with defense counsel immediately prior to and during the preliminary arraignment.

(A.) The issuing authority shall read the Complaint to the defendant:

The issuing authority shall also inform the defendant:

(B.) Of The right to secure Counsel of choice and the right to assigned Counsel in accordance with (Rule 122) Appointment of Counsel:

In All Court Cases, for defendants who are without financial resources or who are otherwise unable to employ counsel when there is a likely hood that imprisonment will be imposed.

- 3.) United STATES, Pennsylvania Constitutional Violation of 4th and 5th Amendment: Warden Shouppe and Deputy Warden was informed of a 'Illegal Criminal Complaint, arrest warrant Affidavit, Unsigned by the Commonwealth Counsel and Unsigned by M.D.J. Schafer and continued to direct staff to detain Plaintiff and seize Plaintiff by force if need arise.
- 4.) Right to Rehabilitation Programs as a Pretrial detainee by refusing to allow religious, Drug and Alcohol (groups/counseling or religious visits by personal pastors): by Not allowing contact in person or by Tablet due to Not enough Tablets On Pod, 30 inmates or more, to 10 Tablets, have to ask inmates for permission to use Tablets that certain violent inmates claim Tablets by the numbers on the back, Plaintiff has had to pay for usage of Tablets, all issue have been ongoing since June 25th, 2021 when Plaintiff entered Beaver County Jail up unto the present date 10-23-2021
- 5.) ~~Right to Confidentiality~~ - Inmate had right to Confidentiality getting Covid shots, instead Guards and Deputy Warden Ethel White put all inmates in a room together along with guards and

herself watching procedure along with inmates and guards when inmates who take the Covid 19 shot is taunted and called crazy. Know one has a right to invade my Medical decision and procedure. Warden Shouppe and Deputy Warden refuse to tell which Guards tested Positive, when A Pod and B Pod workers in the jail were locked down partially, and still served food, but no information on Positive Covid test, between September 2021 and October 2021. If the Plaintiff doesn't have a right to Confidentially as a Citizen of United States and Pennsylvania then no citizen should have that right and Nippa Law is diminished and not effective.

- 6.) Right to Life - from June 25th 2021 until this date Petitioner has been unable to (October 26th 2021) shower without fear of black Mold, on 25th of October 2021 defendant was seen by Medical department for unknown rash on the back area towards the buttocks, medication - (Hydrocortisone Cream 1%) was ordered by Doctor, the Doctor refused to personally see Petitioner for medical issue for reasons unknown.

but sent cream. Petitioner only seen a nurse at medical when there was a lack of diagnosis and Petitioner was told that "I would see the doctor before just given a cream or medical medicine of any kind. Petitioner has a right to proper care and a right to live in safe sanitary and free of molded showers.

(a) Dealing With Covid and Warden Shuppe and Deputy Warden White they have no desire of protecting Pre-trial detainees, Inmates or their staff, Petitioner has Grieved the lack of cleaning the lack of guards wearing mask, the lack of following C.D.C. rules by only giving two mask a week to the population here at Beaver County Jail, Warden Claim he follows C.D.C. recommendations, C.D.C. recommendation is a different mask daily or twice a day. This is life threatening for some one like myself who is over 50 years old.

7.) Pre-trial detainee's Hazardous Confinement-

(a) No emergency call button in cells for medical and life threatening situations

when forced to have a cell mate who has a violent crime, sexual crime and gang ties in the Beaver County Jail.

(b) Pre-trial detainees in cells with federal prisoners with violent and drug cases looking at possible life sentences, Ice inmates, Inmates who have Homicides, many Rapes, just violent inmates locked in a cell or Pod under these conditions being a non-violent low level Pre-trial detainee.

8.) Pre-trial detainee in fear-Due to Lack of Correctional Officer.

Petitioner has had to live in a submissive fashion due to understanding if a fight of different gangs or area friends ignite trouble there is only 55 to 62 C.O's on the pay roll and C.O's who are just highered two or three weeks ago train new recruits which is surely safety issues, from the 25th of June 2021 until 26th of October 2021 there has not been 90 C.O's working for Beaver County Jail which is suppose to be between full time/part time.

9.) Sanitation Violation - recycling T-shirts boxers (underwear) socks and shoes, on or about the first week of October 2021, Warden Shouppe had the laundry department pass out orange T-shirts due to ~~climate~~ weather, the T-shirts given were old and used, on or about the second week of October 2021 Petitioner asked laundry for new socks and boxers, on a ~~Wednesday~~ Wednesday the exchanged happen, Petitioner received old socks and old Boxers. This practice is surely a sanitation violation.

10.) Medical and Mental Health service being denied.

On the 25th of June up to 26th of October Petitioner has not seen a Mental Health Doctor while at Beaver County Jail, Beaver County Jail refuses to put one Doctor on pay roll which violates this Petitioners right to Quality Care as a Mental Health Patient. Petitioner has been denied sleep Medicine when this is a issue of defendants diagnosis. On or about the 24th of October the Petitioner was called to sick call for a medical issue, the nurse said

I would see the doctor and that person would evaluate me, I have not seen a doctor for this medical issue, this is two situations that I am being denied treatment.

11.) Violation of Grievance Process - It is almost criminal on how Warden Shoupp and deputy Warden White allow the grievance process go unanswered, or if answered (this is not a grievance), is what Capt Turk tells Pre-trial detainees and other inmates about grievances, when answer rules are stated that is not in Beaver County Jail hand book of Regulations and Rules, Petitioner is sending Copies with the Amendment of Complaint.

12.) Unlawful detention and Violation of Pa. R. Crim. P. (Rule 600) Intentionally by not having a Trial for Petitioner with in 180 days, Date filed 6-25-21, Preliminary Hearing on 7-15-2021 Trial date 01-10-2022 which brings Petitioner to 196 days, this is violation of due process United States and Pennsylvania 5th Amendment of the Constitution.

13.) Violation of United States and Pennsylvania Constitution 6th Amendment - Right to

attorney/counsel - Pro se - by Clerk of Courts
 secretary Judy Rye Enslin used Pa.R.Crim.P
 (Rule 576) - even after being informed of
 Public Defender Nathan Bible violated client
 Attorney privilege several times.

14 Petitioner is forwarding all documents for
 evidence in the following order:

Exhibit	number
---------	--------

Police Criminal Complaint	20210625M2272
---------------------------	---------------

Affidavit of Probable Cause	#1 page 1 of 1
-----------------------------	----------------

warrant of Arrest	#1 page 1 of 3 to 3 of 3
-------------------	--------------------------

Plea Agreement/offer Memo-15-36303-CR-0000175-2021	#2
--	----

Information	#3
-------------	----

Judicial Pretrial Conferences	#4
-------------------------------	----

Criminal Docket	#5 page 1 of 6 to 6 of 6
-----------------	--------------------------

President Judge Mancini respond	#6
---------------------------------	----

Medical Request	#7 date 10-12-2021
-----------------	--------------------

Clerk of Courts	#8 date 10/14/2021
-----------------	--------------------

Covid 19 vaccination	#9 date 09/22/2021
----------------------	--------------------

17 Beaver County Grievance forms #10 07/14/2021
 to 10/16/2021, these were partially answered
 and sent back either (no grievance, unsigned
 told one grievance every 15 days.)

Petitioner Humbly Submits this Amended
 Complaint 10-27-2021.

Humbly Submitted
 Richard Arrington